

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

FRANCIS FENWICK, et al.,	:	Civil Action No. 12-7354 (PGS)
	:	
Plaintiffs,	:	
	:	
v.	:	PRETRIAL SCHEDULING ORDER
	:	
RANBAXY LABORATORIES, LTD., et al.,	:	
	:	
Defendants.	:	
_____	:	

This matter having come before the Court during an initial scheduling conference on November 17, 2015; pursuant to FED. R. CIV. P. 16; and the Parties having agreed to stay these proceedings to pursue settlement negotiations; and the Parties having advised the Court of their desire to reinstate this action and commence discovery; and good cause appearing for the entry of the within Order;

IT IS on this 16th day of March 2016,

ORDERED THAT:

I. DISCLOSURES

1. The stay of this action [dkt. no. 68] is hereby vacated and it is restored to the Court's active docket.

2. The Parties must exchange initial disclosures required by Fed. R. Civ. P. 26(a)(1) by March 25, 2016.

3. Counsel must conduct the E-Discovery conference required by L. Civ. R. 26.1(d) by April 20, 2016.

II. DISCOVERY

4. The Parties must serve initial written discovery requests or class related issues by May 20, 2016.

5. In accordance with FED. R. CIV. P. 30, the Parties are limited to 10 depositions, per side. In accordance with FED. R. CIV. P. 33, the Parties will be limited to 25 interrogatories (including all subparts) per party.

6. No objections to questions posed at depositions shall be made other than as to lack of foundation, form or privilege. *See* Fed. R. Civ. P. 32(d)(3)(A). No instruction not to answer shall be given unless a privilege is implicated.

7. Any motion to amend the pleadings or join new parties, whether by amended or third-party complaint must be filed August 15, 2016.

8. The Parties must complete fact discovery, including depositions, by December 22, 2016. No discovery is to be issued or conducted after this date.

9. Counsel must meet and confer in a good faith attempt to resolve any discovery or case management dispute before bringing such dispute to the attention of the Court. Any unresolved dispute must be brought to the Court's attention promptly by letter to the undersigned. Failure to timely raise a discovery dispute may result in a waiver.

10. No discovery motion shall be made without prior leave of the Court.

III. DISCOVERY CONFIDENTIALITY ORDER

11. Any proposed confidentiality order must be submitted by April 15, 2016 and comply with Fed. R. Civ. P. 26(c) and L. Civ. R. 5.3. *See also Pansy v. Borough of Stroudsburg*, 23 F.3d 772 (3d Cir. 1994); *Glenmede Trust Company v. Thompson*, 56 F.3d 476 (3d Cir. 1995). Any such form of order must be accompanied by an affidavit or attorney/certification filed electronically under the designation "affidavit/certification in support of discovery confidentiality order." The affidavit or attorney/certification shall describe (a) the nature of the materials to be kept confidential, (b) the legitimate private or public interests which warrant confidentiality and (c) the clearly defined and serious injury that would result should to order not be entered. *See* L. Civ. R. 5.3(b). Any such order must be clearly designated "Discovery Confidentiality Order." *Id.*

IV. EXPERTS

12. Plaintiffs' expert report on class certification must be served by March 10, 2017. Any such report shall be in the form and content as required by Fed. R. Civ. P. 26(a)(2)(B).

13. Defendants' expert report on class certification must be served by April 21, 2017. Any such report shall be in the form and content as described above.

14. Expert depositions must be completed by June 9, 2017.

V. FUTURE CONFERENCES

15. The Court will conduct telephone status conferences on June 15, 2016 at 3:30 P.M., October 5, 2016 at 11:00 A.M., January 9, 2017 at 10:00 A.M., and April 3, 2017 at 10:00 A.M. Defense counsel will initiate these calls. During the latter call, the Court will set a schedule for *Daubert* motions and/or class certification.

16. If the conference is to be conducted via "dial-in", counsel are instructed to call Chambers after all participants are on line.

17. The Court may, from time to time, schedule conferences as may be required, either on its own motion or at the request of counsel. Failure to appear at subsequent conferences, or to comply with any of the terms of this Order, may result in sanctions.

18. Since all dates set forth herein are established with the assistance and knowledge of counsel, there will be no extensions except for good cause shown and by leave of the Court, even with consent of all counsel.

s/ Douglas E. Arpert

DOUGLAS E. ARPERT

United States Magistrate Judge